

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BONFILIO AVILES

Defendant.

8:09CR66

**AMENDED
ORDER**

Defendant Bonfilio Aviles appeared before the court on May 11, 2018 on a Petition for Warrant or Summons for Offender Under Supervision [144]. Defendant was represented by Jessica P. Douglas, and the United States was represented by Assistant U.S. Attorney Matt E. Lierman. Through his counsel, Defendant waived his right to a probable cause hearing on the Report pursuant to Fed. R. Crim. P. 32.1(a)(1). The government moved for detention. Through counsel, Defendant declined to present any evidence on the issue of detention and otherwise waived a detention hearing. Since it is the defendant's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence that he is neither a danger to the community nor a flight risk, the court finds Defendant has failed to carry his burden and that he should be detained pending a dispositional hearing before Chief Judge Smith Camp.

I find that the Report alleges probable cause and that Defendant should be held to answer for a final dispositional hearing before Chief Judge Smith Camp.

IT IS ORDERED:

1. A final dispositional hearing will be held before Chief Judge Smith Camp in Courtroom No. 2, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, on June 21, 2018 at 2:30 p.m.. Defendant must be present in person.

2. Defendant Bonfilio Aviles, is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;

3. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and

4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

Dated this 11th day of May, 2018.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge